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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/691,442

10/23/2003

Scott Hanggie

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01/28/2010

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EXAMINER

CASCHERA, ANTONIO A

ART UNIT

PAPER NUMBER

2628

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/691,442	Applicant(s) HANGGIE ET AL.	
	Examiner Antonio A. Caschera	Art Unit 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-11,13,15-21,24-30 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3,5-11,13,15-20 and 37 is/are allowed.
- 6) ☒ Claim(s) 21 is/are rejected.
- 7) ☒ Claim(s) 24-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/21/09 & 09/22/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa (U.S. Patent 6,466,239) in view of Washington et al. (U.S. Patent 5,870,088).

In reference to claim 21, Ishikawa discloses a computer implemented method of displaying a window in a graphical user interface of a shell of an operating system (see column 1, lines 7-17 and Figure 9 wherein Ishikawa discloses a graphics data generating apparatus and method for scripting of editing of positioning and shaping of 3D graphics in a 3D virtual space using a GUI. Ishikawa further discloses the method implemented on a computer system comprising a display device and CPU executing instructions (see column 11, lines 10-47) wherein the Examiner interprets the at least some of the instructions inherently defining some sort of operating system for the computer system.), comprising:

receiving window information from an instance of an application program associated with a computing device (see columns 11-12, lines 48-22 wherein Ishikawa discloses the computer system receiving VRML content, defining a 3D virtual space for display, from a server apparatus. The Examiner interprets such VRML content inherently defining window information for the display of the content as seen in at least Figure 9.); and

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rendering a window on a display associated with the computing device having a base object and a plurality of discrete primary content objects, wherein rendering is based on a base geometry defined by a mesh, *base content margins*, a *base extent* and a base material (see Figures 9, 17a-b and 21-22 wherein Ishikawa discloses rendering a GUI including multiple windows, two of which display multiple objects in both "3D Perspective" and "Side Parallel" views. Note, the "3D Perspective" view displays both base objects and other objects not currently being edited (see Figure 9 and how "cone" shape is editing while "circle" and "cube" shapes are also displayed. Further, "Parallel" view shows the side view of the "cone" shape object in a "wireframe" form which the Examiner interprets equivalent to Applicant's mesh (see Figure 17b.) Also Ishikawa explicitly allows for texture or a material to be applied to the object (see column 13, lines 50-51)).

Ishikawa does not explicitly disclose rendering the window of the display using base dimension properties. Washington et al. discloses a computer system that processes graphical data for the user editing of GUI objects (see Figure 25 and column 5, lines 1-30). Washington et al. discloses the computer system rendering a GUI including objects and their set properties embedded in a form of the GUI according to computer software stored in a memory and executed by a CPU (see column 5, lines 1-30, Figures 7, 9 and 12-14). Further, as can be seen from at least Figures 1 and 14, the container or "Form" properties can be seen on the right hand side while in Figure 14, a selected object/control of the container can be seen with its properties shown in new window. Further, Figure 12 of Washington et al. clearly shows that there maybe multiple or a plurality of objects located on the form/container. Washington et al. further explicitly discloses properties of the objects to include shape and size parameters (see column 2,

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lines 5-32 and Figures 9 and 14 “height” “width” properties of the object which in this case is a slide control which the Examiner interprets as equivalent to Applicant’s “base extent” and “base margin” elements). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the wireframe/mesh graphical object viewing techniques of Ishikawa with the interface editing techniques of Washington et al. in order to provide a more in-depth and detailed oriented graphical object editor allowing for alternate views of objects so that more accurate editing of the objects could be implemented thereby creating more realistic graphical objects.

Response to Arguments

2. The cancellation of claim 22 is noted.
3. Note, the rejection of claim 37 is rendered moot since claim 37 has been amended to depend upon allowable claim 11.
4. Applicant’s arguments, see pages 9-10 of Applicant’s Remarks, filed 12/21/09, with respect to the rejection(s) of claim(s) 21 under 35 USC 102 in view of Washington et al., have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ishikawa and Washington et al.. Note, Examiner realized a new interpretation of Ishikawa and Washington et al. and therefore executes the above rejection of the claim.

Allowable Subject Matter

5. Claims 1, 3, 5-11, 13, 15-20 and 37 are allowed.

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The following is a statement of reasons for the indication of allowable subject matter:

In reference to claim 1, the prior art of record does not explicitly disclose a computer readable medium having computer executable instructions embodied therefor for storing a data structure defining a window for drawing on a desktop displayed on a display device, the window comprising a first data field storing base content object properties for a base content, the field subdivided into a portion storing properties comprising base geometry and another portion to store properties comprising a plurality of vertices defining a mesh, in combination with the further limitations of claim 1.

In reference to claims 3 and 5-10, these claims depend upon allowable claim 1 and are therefore also deemed allowable.

In reference to claim 11, the prior art of record does not explicitly disclose a processing system having a memory storing window properties defining a window, the memory storing base content object properties and one or more primary content objects, storing properties comprising base geometry, the base geometry property comprising a plurality of vertices defining a mesh, in combination with the further limitations of claim 11.

In reference to claims 13, 15-20 and 37, these claims depend upon allowable claim 11 and are therefore also deemed allowable.

6. Claims 24-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781. The examiner can normally be reached Monday, Tuesday, Thursday and Friday between 7:00 AM and 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung, can be reached at (571) 272-7794.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

571-273-8300 (Central Fax)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (571) 272-2600.

/Antonio A Caschera/

Primary Examiner, Art Unit 2628

1/28/10